

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILLOUGHBY DOUGLAS; LOVECORA
DOUGLAS,

Plaintiff,

-against-

WALMART, et al.,

Defendants.

25-CV-5448 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

Plaintiffs, who are proceeding *pro se*, filed a complaint in this court on June 27, 2025, without paying the \$405 in fees to initiate a new civil action or asking that the fees be waived by filing an application to proceed *in forma pauperis*. The Clerk's Office opened a new civil action and assigned the action docket number 25-CV-5448. The Court has learned, however, that Plaintiffs currently are litigating a case against the same defendants named in this action and are asserting the same claims. *See Douglas v. Walmart*, No. 24-CV-3030 (KMK) (VR) (S.D.N.Y.) ("*Douglas I*"). In *Douglas I*, Plaintiffs filed an amended complaint on June 25, 2025. This amended pleading is substantially similar to the complaint submitted in this action on June 27, 2025.

In light of the Court's belief that Plaintiffs submitted a duplicate complaint in error, the Court dismisses this action without prejudice to Plaintiffs' litigation of their claims in *Douglas I*.

CONCLUSION

The Court dismisses this action because Plaintiffs submitted a duplicate complaint in error. This dismissal is without prejudice to Plaintiffs' litigation of their claims in *Douglas I*, No. 24-CV-3030 (KMK) (VR).

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Clerk of Court is directed to enter judgment in this matter.

SO ORDERED.

Dated: July 15, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge